**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 1934 OF 2005.**
**IN**
**WRIT PETITION NO. 3345 OF 2002.**

Maharashtra General Kamgar
Union. ... Applicant.

V/s.

Johnson and Johnson Ltd.
and another. ... Respondents.

Ms.Gayatri Singh for the petitioner.

Shailesh Shah i/b. S.M.Naik
for respondent No.1.

**CORAM: V.C.DAGA, J.**

**DATED: 22nd November 2005.**

**P.C.:**

. This Court vide order dated 15th April, 2005 had permitted the applicant to withdraw the amount of Rs.59,263/- deposited by respondent No.1-employer in Second Labour Court, Thane towards his leave wages for the period from 18th May, 1999 to 18th February, 2002.

2. This Court had further directed the employer to furnish details of calculations of the aforesaid amount. The amount has already been deposited by respondent No.1-employer in second Labour Court, Thane, but no break-up of the said amount has been furnished in spite of specific direction and lapse of more than six months.

3. My attention is drawn to the application dated 14th October, 2004 followed by another application dated 25th April, 2005 moved by the applicant to seek permission to withdraw an amount of Rs.59,263/-. Both these applications are pending before the Labour Court. No orders have been passed. It was expected on the part of the Labour Court to pass appropriate orders, especially, after the order of this Court dated 15th April, 2005.

4. The act of the Labour Court keeping the applications pending for months together, which normally should not take more than 5 to 10 minutes to dispose of, needs to be taken seriously. The Labour Court ought to have disposed of these applications with expeditious despatch. The Labour Court is put on notice that in future if such applications are kept pending in spite of orders of this Court, a serious view of the matter would be taken.

5. This civil application is, thus, allowed. Labour Court is directed to pay the amount of Rs.59,263/- deposited by respondent No.1-employer along with interest accrued thereon by drawing a payees-account cheque in favour of the applicant-workman Shri Dinkar Laxmman Desai

subject to compliance of the order of this Court dated 15th April, 2005.

6. Respondent No.1-employer (original petitioner) is further directed to supply break-up of Rs.59,263/- within one week from today. Labour Court is directed to seek compliance of this order. Respondent No.1/ original petitioner is put on notice that failure on their part to furnish break-up of the amount, this Court will have no option but to dismiss the petition for non-compliance of the order of this Court.

7. Civil application stands disposed of in terms of this order with no order as to costs.

**(V.C.DAGA, J.)**